

**City Council Agenda  
August 08, 2005  
8:00PM  
Council Chambers, City Hall  
1000 San Pablo Avenue**

**SPECIAL MEETING**

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. CONSENT CALENDAR**

3-1. City Council minutes, July 5 & 18 & August 1, 2005.

Staff recommendation: Approve.

3-2. a. Ratification of bills, claims & demands against the City of Albany in the amount of \$126,137.01. Period: 07/15/05. b. Ratification of bills, claims & demands against the City of Albany in the amount of \$466,493.79. Period: 07/15/05. c. Ratification of bills, claims & demands against the City of Albany Municipal Services JPA in the amount of \$170.00. Period: 07/15/05.

Staff recommendation: Ratify. 3-3. Ratification of Albany Police & Fire Pension payments in the amount of \$106,340.79 for the month of July, 2005. Staff recommendation: Ratify.

3-4. A rendering of the quarterly Cash and Investments Treasury Report of the City of Albany, as of June 30, 2005, as required by Section 53646 of the California Government Code.

**Staff Report** (*PDF, 11Kb*)

Staff recommendation: Note and file; information only.

- 4. UNFINISHED BUSINESS**

4-1. Adoption of City Council Resolution Upholding the Appeal by the Peralta Neighborhood Association of Planning and Zoning Commission Decision Concerning St. Mary's College High School Amendment Request. a. Resolution #05-46 - A Resolution of the Albany City Council Upholding the Appeal of the Peralta Neighborhood Association and Overturning the April 26, 2005, Decision of the Planning and Zoning Commission by Amending Conditional Use Permit #93-27 and Design Review Permit 99-24 and Requiring the Following: 1) Conversion of 2,380 Square Feet of Building Area (Band Pavilion and Snack Bar) from Classroom Space to Unusable Space. 2) Conversion of 652 Square Feet of Classroom Space to Uninhabitable Space.

**Staff Report** (*PDF, 21Kb*)  
**Resolution #05-46** (*PDF, 114Kb*)

Staff recommendation: That the City Council adopt Resolution #05-46, which supports action taken by the Council on July 5, 2005.

## 5. PRESENTATION/PUBLIC HEARING

5-1. Special Municipal Services Tax of \$145 per Equivalent Residential Unit (ERU) to Fund Library Services and City Improvements and Operations.

**Staff Report** (*PDF, 33Kb*)  
**Resolution #06-47** (*PDF, 38Kb*)  
**Ordinance #05-05** (*PDF, 43Kb*)

Staff recommendation: 1) Open the public hearing for input on the proposed tax measure. 2) Approve Resolution #05-47 - A Resolution of the Albany City Council Calling and Giving Notice of Holding a Special Election to be Held November 8, 2005 and Requesting the Board of Supervisors of Alameda County to Consolidate Said Election with the Special Statewide Election; and Authorize the City Clerk or Her Duly Authorized Officers to Carry Out All the Necessary Procedures for Said Election Submitting to the Voters A Municipal Services and Capital Improvement Special Tax to the Qualified Voters of the City and Setting the Ballot Language. Attached, as Exhibit A is Ordinance #05-05. 3) Designate two Council Members to serve as the subcommittee to prepare the written ballot arguments on behalf of City Council, per Resolution #05-47, Section 7.

## 6. NEW BUSINESS

6-1. 2005 Slurry Seal Project and the Marin Avenue Reconfiguration Project.

**Staff Report** (*PDF, 22Kb*)

Staff recommendation: That the City Council authorize the City Administrator to negotiate and award a contract (s) for the 2005 Slurry Seal Project and the Marin Avenue Reconfiguration Project in the event the contract amount exceeds the Engineer's estimate.

6-2. League of California Cities requesting designation of Voting Delegate at the 2005 League Annual Conference on October 6-8, 2005.

No electronic file available for this agenda item

Staff recommendation: Appoint a Voting Delegate and alternate to represent the City at the annual conference.

6-3. Report from Charter Review Committee.

**Staff Report** (PDF, 20Kb)

**Committee Minutes** (PDF, 17Kb)

No electronic file for Appointee Procedure

Charter Review Committee recommendation: 1) That the City Council submit a proposed amendment to the City Charter to the voters to change the term of Committee/Commission appointees from four years to two years (appointments or reappointments to follow each general election). 2) That the City Council submit a proposed amendment to the City Charter to the voters to provide for the appointment rather than the election of the City Attorney, with a recommendation that Council consider the issue of the most appropriate timing for a submission of this issue to the voters.

6-4. Policy and procedure for Placing Items on City Council Agenda.

**Staff Report** (PDF, 32Kb)

**Existing Agenda Policy and Procedure** (PDF, 14Kb)

**Proposal from Council Member Maris** (PDF, 14Kb)

**City of Berkeley Agenda Procedure** (PDF, 13Kb)

Staff recommendation: Consider proposal by Council Member Maris to revise the City Council Agenda Policy and Procedure.

6-5. Mayor Good requesting discussing placement on the agenda of Good of the City/Public Forum.

**Staff Report** (PDF, 18Kb)

**Survey of Other Cities' Agendas** (PDF, 17Kb)

Staff recommendation: Consider Mayor Good's request.

6-6. Council Member Lieber requesting Council Appointment of Steve Pinto to the Social & Economic Justice Commission.

Staff recommendation: Consider Council Member Lieber's request.

**7. OTHER BUSINESS/ANNOUNCEMENT OF EVENTS**

**8. GOOD OF THE CITY/PUBLIC FORUM**

**9. ADJOURNMENT**

(The Council meeting packet is available for public inspection at the Albany Library (526-3720), the Fire Department and the City Clerk's Office. If you have any questions pertaining to any agenda item or Council meeting procedure, please contact the City Clerk's Office at 528-5720.) *The City of Albany is dedicated to maintaining its small*

*town ambiance, responding to the needs of the Community and providing a safe, healthy environment now and in the future.*

**Please note that if you provide your name and address when speaking before the City Council it will become part of the official public record and the official minutes will be published on the Internet.**

NOTICE - Please Read

"Pursuant to Government Code Section 65009, if you challenge a decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at a public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. The decision of the City Council is final as of the date of its decision unless judicial review is initiated pursuant to California Code of Civil Procedure Section 1094.5. Any such petition for judicial review is subject to the provisions of California Code of Civil Procedure 1094.6 In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the City Administration Office 510-528-5710. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102.104 ADA Title II)">